JOURNAL OF THE HOUSE

SECOND REGULAR SESSION, 90th GENERAL ASSEMBLY

SIXTY-SEVENTH DAY, SUNDAY, MAY 7, 2000

Representative Parker in the Chair.

Prayer by Representative Kelly Parker.

Dear Heavenly Father, please help us to do work that will, in years to come, make our children proud. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Braxton Parker and Callie Jean Legan.

The Journal of the sixty-sixth day was approved as corrected.

HOUSE RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 1517 through

House Resolution No. 1521 - Representative Britt

BILL IN CONFERENCE

CCR SCS HCS HB 1142, as amended, relating to traffic regulations, was taken up by Representative Ransdall.

On motion of Representative Ransdall, **CCR SCS HCS HB 1142**, **as amended**, was adopted by the following vote:

AYES:	149

Abel	Akin	Alter	Auer	Backer
Ballard	Barnett	Barry 100	Bartelsmeyer	Bartle
Bennett	Berkowitz	Black	Blunt	Boatright
Boucher 48	Boykins	Bray 84	Britt	Brooks
Burton	Campbell	Champion	Chrismer	Cierpiot
Clayton	Crawford	Crump	Curls	Davis 122
Davis 63	Days	Dolan	Dougherty	Enz
Farnen	Fitzwater	Foley	Ford	Foster
Franklin	Fraser	Froelker	Gambaro	Gaskill
George	Gibbons	Graham 106	Graham 24	Gratz
Green	Griesheimer	Gross	Gunn	Hagan-Harrell
Hampton	Hanaway	Harlan	Hartzler 123	Hegeman
Hendrickson	Hickey	Hilgemann	Hohulin	Hollingsworth

Hoppe Hosmer Howerton Kasten Kelley 47 Kelly 27 Kennedy Kissell Klindt King Kreider Koller Lakin Lawson Leake Legan Levin Liese Lograsso Long Loudon Luetkemeyer Luetkenhaus Marble May 108 Mays 50 McClelland McKenna McLuckie Merideth Miller Monaco Murphy Murray Myers Nordwald O'Connor O'Toole Overschmidt Parker Phillips Pouche 30 Ransdall Patek Pryor Reid Reinhart Relford Reynolds Richardson Ridgeway Riley Rizzo Robirds Ross Schilling Schwab Scheve Scott Secrest Seigfreid Shelton Shields Selby Skaggs Surface Thompson Smith Summers Townley Treadway Troupe Tudor Van Zandt Vogel Williams 159 Wagner Williams 121 Ward Wiggins Wilson 25 Wilson 42 Mr. Speaker Wright

NOES: 000

PRESENT: 002

Linton Purgason

ABSENT WITH LEAVE: 011

Berkstresser Bonner Elliott Evans Hartzler 124 Holand McBride Naeger Ostmann Sallee

Stokan

VACANCIES: 001

On motion of Representative Ransdall, **CCS SCS HCS HB 1142** was read the third time and passed by the following vote:

AYES: 152

Abel Akin Alter Backer Auer Ballard Barnett Barry 100 Bartelsmeyer Bartle Berkstresser Blunt Bennett Berkowitz Black Boatright Bonner Boucher 48 Boykins Bray 84 Brooks Burton Campbell Champion Britt Chrismer Cierpiot Clayton Crawford Crump Davis 122 Davis 63 Dolan Curls Days Dougherty Enz Farnen Fitzwater Foley Froelker Ford Foster Franklin Fraser Gambaro Gaskill Gibbons Graham 106 George Graham 24 Gratz Green Griesheimer Gross Hagan-Harrell Harlan Gunn Hampton Hanaway Hartzler 123 Hegeman Hendrickson Hickey Hilgemann Hollingsworth Hosmer Hohulin Hoppe Howerton Kelly 27 Kasten Kelley 47 Kennedy King Koller Kissell Kreider Lakin Lawson Leake Legan Levin Liese Linton Loudon Luetkemeyer Luetkenhaus Lograsso Long May 108 Marble Mays 50 McClelland McKenna McLuckie Merideth Miller Monaco Murphy Murray Myers Nordwald O'Connor O'Toole Overschmidt Pouche 30 Parker Patek Phillips Pryor Purgason Ransdall Reid Reinhart Relford Reynolds Ridgeway Riley Rizzo Robirds Ross Sallee Scheve Schilling Schwab Scott Secrest Seigfreid Selby Shelton Shields Skaggs Smith Summers Surface Thompson Townley Treadway Troupe Van Zandt Ward Tudor Vogel Wagner

Wiggins Williams 121 Williams 159 Wilson 25 Wilson 42 Wright Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 010

Elliott Evans Hartzler 124 Holand Klindt McBride Naeger Ostmann Richardson Stokan

VACANCIES: 001

Representative Parker declared the bill passed.

On motion of Representative Boucher, title to the bill was agreed to.

Representative Hampton moved that the vote by which the bill passed be reconsidered.

Representative May (108) moved that motion lay on the table.

The latter motion prevailed.

HOUSE BILL WITH SENATE AMENDMENT

HCS HB 1434, with Senate Committee Amendment No. 1, relating to regulation of amusement rides, was taken up by Representative Skaggs.

On motion of Representative Skaggs, the House concurred in **Senate Committee Amendment No. 1** by the following vote:

AYES: 148

Abel Akin Alter Auer Backer Barry 100 Bartelsmeyer Bennett Barnett Bartle Berkowitz Berkstresser Black Blunt Bonner Boucher 48 Boykins Bray 84 Britt **Brooks** Burton Campbell Champion Chrismer Cierpiot Clayton Crawford Crump Davis 122 Curls Dolan Davis 63 Days Dougherty Enz Farnen Fitzwater Foley Ford Foster Franklin Fraser Froelker Gambaro George Graham 106 Graham 24 Gibbons Gratz Green Griesheimer Gross Gunn Hagan-Harrell Hampton Harlan Hartzler 123 Hegeman Hendrickson Hanaway Hickey Hilgemann Hollingsworth Hoppe Hosmer Kelly 27 Howerton Kasten Kelley 47 Kennedy King Kissell Klindt Koller Kreider Lakin Lawson Leake Legan Levin Linton Long Loudon Liese Lograsso Luetkemeyer Luetkenhaus Marble May 108 Mays 50 McClelland McKenna McLuckie Merideth Miller Monaco Murray Mvers Nordwald O'Connor O'Toole Overschmidt Parker Patek Phillips Ransdall Pryor Purgason Reid Reinhart Relford Reynolds Ridgeway Richardson Riley Rizzo Robirds Ross Sallee Scheve Schilling Schwab Scott Secrest Seigfreid

Selby Shelton Shields Skaggs Smith Surface Thompson Townley Treadway Summers Tudor Van Zandt Vogel Wagner Troupe Williams 159 Wilson 25 Ward Wiggins Williams 121 Wilson 42 Wright Mr. Speaker

NOES: 006

Ballard Boatright Gaskill Hohulin Murphy

Pouche 30

PRESENT: 000

ABSENT WITH LEAVE: 008

Elliott Evans Hartzler 124 Holand McBride

Naeger Ostmann Stokan

VACANCIES: 001

Speaker Gaw assumed the Chair.

On motion of Representative Skaggs, **HCS HB 1434**, **as amended**, was truly agreed to and finally passed by the following vote:

AYES: 144

Abel Akin Alter Backer Auer Ballard Barnett Barry 100 Bartelsmeyer Bartle Bennett Berkowitz Berkstresser Black Blunt **Boykins** Bray 84 Bonner Boucher 48 Britt Brooks Burton Campbell Champion Chrismer Clayton Crawford Cierpiot Crump Curls Davis 122 Davis 63 Days Dolan Dougherty Enz Farnen Fitzwater Foley Ford Froelker Franklin Fraser Gambaro George Gibbons Graham 106 Graham 24 Gratz Green Griesheimer Gross Gunn Hagan-Harrell Hampton Harlan Hartzler 123 Hegeman Hendrickson Hanaway Hickey Hilgemann Hollingsworth Hoppe Hosmer Howerton Kasten Kelley 47 Kelly 27 Kennedy King Kissell Klindt Koller Kreider Leake Levin Lakin Lawson Legan Liese Long Loudon Luetkemeyer Luetkenhaus May 108 Mays 50 Marble McClelland McKenna McLuckie Merideth Miller Monaco Murray Myers Nordwald O'Connor O'Toole Overschmidt Parker Patek Phillips Pryor Purgason Ransdall Reid Reinhart Relford Reynolds Ridgeway Riley Rizzo Sallee Ross Schilling Scheve Schwab Scott Secrest Seigfreid Selby Shelton Shields Skaggs Surface Smith Summers Thompson Townley Treadway Tudor Van Zandt Troupe Vogel Williams 159 Wagner Ward Wiggins Williams 121 Wilson 25 Wilson 42 Wright Mr. Speaker

NOES: 010

Boatright Foster Gaskill Hohulin Linton Lograsso Murphy Pouche 30 Richardson Robirds

PRESENT: 000

Backer

ABSENT WITH LEAVE: 008

Hartzler 124 McBride Elliott Evans Holand

Naeger Ostmann Stokan

VACANCIES: 001

Speaker Gaw declared the bill passed.

On motion of Representative Relford, title to the bill was agreed to.

Representative Lakin moved that the vote by which the bill passed be reconsidered.

Representative Auer moved that motion lay on the table.

The latter motion prevailed.

THIRD READING OF SENATE BILLS - REVISION

SB 1001, relating to expired provisions, was taken up by Representative Clayton.

On motion of Representative Clayton, **SB 1001** was truly agreed to and finally passed by the following vote:

Auer

AYES: 150

Abel Akin Alter Barry 100 Ballard Bartelsmeyer Bartle Bennett Berkstresser Berkowitz Black Blunt Boatright Bonner Boucher 48 **Boykins** Bray 84 Britt Brooks Burton Campbell Champion Chrismer Crump Cierpiot Clayton Crawford Curls Davis 122 Davis 63 Days Dougherty Enz Foley Farnen Fitzwater Ford Foster Franklin Fraser Froelker Gambaro Gaskill Graham 106 George Gibbons Graham 24 Gratz Hagan-Harrell Griesheimer Gross Gunn Green Hampton Hanaway Harlan Hartzler 123 Hegeman Hendrickson Hickey Hilgemann Hollingsworth Hohulin Hoppe Hosmer Howerton Kasten Kelley 47 Kelly 27 King Kissell Klindt Koller Kreider Lakin Lawson Leake Legan Levin Liese Linton Lograsso Long May 108 Loudon Luetkemeyer Luetkenhaus Marble Mays 50 McClelland McKenna McLuckie Merideth Miller Monaco Murphy Murray Myers Nordwald O'Connor O'Toole Overschmidt Parker Patek Phillips Pouche 30 Pryor Purgason Ransdall Relford Reynolds Reid Reinhart Richardson Ridgeway Riley Rizzo Robirds Ross Sallee Scheve Schilling Schwab Secrest Seigfreid Selby Shelton Shields Skaggs Smith Summers Surface Thompson Van Zandt Tudor Treadway Troupe Townley Vogel Wagner Ward Wiggins Williams 121 Williams 159 Wilson 25 Wilson 42 Mr. Speaker Wright

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 012

Barnett Dolan Elliott Evans Hartzler 124 Holand Kennedy McBride Naeger Ostmann

Scott Stokan

VACANCIES: 001

Speaker Gaw declared the bill passed.

On motion of Representative Lawson, title to the bill was agreed to.

Representative Leake moved that the vote by which the bill passed be reconsidered.

Representative Liese moved that motion lay on the table.

The latter motion prevailed.

SB 1002, relating to court cost, was taken up by Representative Clayton.

On motion of Representative Clayton, **SB 1002** was truly agreed to and finally passed by the following vote:

AYES: 152

Akin Backer Abel Alter Auer Barry 100 Ballard Barnett Bartelsmeyer Bartle Berkowitz Berkstresser Blunt Bennett Black Boatright Boucher 48 **Boykins** Bray 84 Bonner Britt Brooks Burton Campbell Champion Crawford Chrismer Cierpiot Clayton Crump Curls Davis 122 Davis 63 Dolan Days Dougherty Enz Farnen Fitzwater Foley Ford Foster Franklin Fraser Froelker Graham 106 Gambaro Gaskill George Gibbons Graham 24 Gratz Green Griesheimer Gunn Hagan-Harrell Hampton Hanaway Harlan Hartzler 123 Hendrickson Hickey Hilgemann Hohulin Hollingsworth Hoppe Hosmer Howerton Kasten Kelley 47 Kelly 27 Kennedy King Kissell Klindt Koller Kreider Lakin Lawson Leake Legan Levin Liese Linton Lograsso Luetkenhaus Marble Long Loudon Luetkemeyer May 108 McClelland Mays 50 McKenna McLuckie Merideth Miller Monaco Murphy Murray Mvers Nordwald O'Connor O'Toole Overschmidt Parker Patek Phillips Pouche 30 Pryor Ransdall Relford Purgason Reid Reinhart Reynolds Richardson Ridgeway Riley Rizzo Robirds Ross Sallee Scheve Schilling Schwab Scott Seigfreid Selby Secrest Shelton Shields Skaggs Smith Summers Surface Thompson Townley Treadway Troupe Tudor Van Zandt Vogel Wagner Ward Williams 159 Wilson 25 Williams 121 Wilson 42 Wiggins Wright Mr. Speaker

NOES: 000

PRESENT: 001

Hegeman

ABSENT WITH LEAVE: 009

Elliott Evans Gross Hartzler 124 Holand

McBride Naeger Ostmann Stokan

VACANCIES: 001

Speaker Gaw declared the bill passed.

On motion of Representative Fraser, title to the bill was agreed to.

Representative Rizzo moved that the vote by which the bill passed be reconsidered.

Representative Graham (24) moved that motion lay on the table.

The latter motion prevailed.

THIRD READING OF SENATE BILL

HCS SB 896, relating to business organizations, was taken up by Representative May (108).

Representative May (108) offered **HS HCS SB 896**.

Speaker Pro Tem Kreider assumed the Chair.

Representative Hanaway raised a point of order that **HS HCS SB 896** is not germane to the original bill.

The Chair ruled the point of order not well taken.

Representative May (108) offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Substitute for House Committee Substitute for Senate Bill No. 896, Pages 60-63, Section 362.044, by deleting all of said section from the bill; and

Further amend said bill, Page 102, Section 362.600, Line 8, by adding after the word "**not**" on said line the word "**otherwise**"; and

Further amend the title, enacting clause and intersectional references accordingly.

On motion of Representative May (108), **House Amendment No. 1** was adopted.

Representative Liese offered House Amendment No. 2.

House Amendment No. 2

AMEND House Substitute for House Committee Substitute for Senate Bill No. 896, Page 142, Section 427.220, Line 15 of said page, by deleting the number "427.220" and inserting in lieu thereof the number "369.371"; and

Further amend said bill, Page 158, Section 362.170, Line 17 of said page, by deleting the words "**subsection 1**" and inserting in lieu thereof the words "**subsection 2**"; and

Further amend said bill, Page 158, Section 362.170, Line 18 of said page, by deleting the words "**subsection 1**" and inserting in lieu thereof the words "**subsection 2**"; and

Further amend said bill, Page 158, Section 362.170, Lines 21 to 22 of said page, by deleting the words "subsection 1" and inserting in lieu thereof the words "subsection 2"; and

Further amend the title, enacting clause and intersectional references accordingly.

On motion of Representative Liese, **House Amendment No. 2** was adopted.

Representative Liese offered House Amendment No. 3.

House Amendment No. 3

AMEND House Substitute for House Committee Substitute for Senate Bill No. 896, Page 85, Section 362.245, Line 4 of said page, by deleting the words "[five] **three**" and inserting in lieu thereof the word "**five**".

On motion of Representative Liese, **House Amendment No. 3** was adopted by the following vote:

AYES: 127

Abel	Akin	Alter	Auer	Backer
Ballard	Barnett	Barry 100	Bartelsmeyer	Bartle
Bennett	Berkstresser	Black	Blunt	Boatright
Bonner	Boucher 48	Bray 84	Brooks	Burton
Campbell	Champion	Chrismer	Cierpiot	Crawford
Crump	Curls	Davis 63	Dolan	Dougherty
Enz	Farnen	Foley	Ford	Foster
Franklin	Fraser	Froelker	Gambaro	Gaskill
George	Gibbons	Graham 106	Graham 24	Gratz
Green	Griesheimer	Gross	Gunn	Hanaway
Harlan	Hartzler 123	Hendrickson	Hickey	Hollingsworth
Hoppe	Hosmer	Howerton	Kasten	Kelley 47
Kelly 27	Kennedy	King	Kissell	Klindt
Kreider	Lakin	Lawson	Leake	Legan
Levin	Liese	Linton	Lograsso	Loudon
Luetkemeyer	Luetkenhaus	Marble	Mays 50	McClelland
McKenna	McLuckie	Merideth	Miller	Murray
Myers	Nordwald	O'Connor	O'Toole	Overschmidt
Parker	Patek	Phillips	Pouche 30	Pryor
Reid	Reinhart	Reynolds	Richardson	Ridgeway
Riley	Ross	Sallee	Scheve	Schilling
Schwab	Scott	Secrest	Selby	Shelton
Shields	Summers	Surface	Townley	Treadway
Troupe	Tudor	Van Zandt	Vogel	Wagner
Ward	Wiggins	Williams 159	Wilson 25	Wilson 42
Wright	Mr. Speaker			

NOES: 024

Berkowitz Britt Clayton Davis 122 Days Hagan-Harrell Fitzwater Hampton Hilgemann Hohulin Koller May 108 Monaco Murphy Purgason Relford Robirds Seigfreid Ransdall Rizzo Williams 121 Skaggs Smith Thompson

PRESENT: 002

Boykins Hegeman

ABSENT WITH LEAVE: 009

Elliott Evans Hartzler 124 Holand Long

McBride Naeger Ostmann Stokan

VACANCIES: 001

Representative Lograsso offered House Amendment No. 4.

House Amendment No. 4

AMEND House Substitute for House Committee Substitute for Senate Bill No. 896, Page 134, Section 400.3-312, Line 17 of said page, by inserting after all of said line the following:

"407.125. The provisions of this chapter shall not bar the commissioner of securities from administering the provisions of chapter 409, RSMo.

407.2000. 1. For the purposes of sections 407.2000 to 407.2021, "business opportunity" means the sale or lease of any product, equipment, supplies or services which are sold or leased to a purchaser to enable the purchaser to start a business for which the purchaser is required to pay an initial fee or sum of money in excess of five hundred dollars to the seller, and in which the seller represents:

- (1) That the seller or a person or entity affiliated with, or referred by, the seller will provide locations, or assist the purchaser in finding locations, for the use or operation of vending machines, racks, display cases or other similar devices or currency-operated amusement machines or devices on premises neither owned nor leased by the purchaser or the sellers;
- (2) That the promoter or its affiliate or designee will refund all or a substantial part of the purchaser's initial payment if the purchaser is unsuccessful or dissatisfied with the business opportunity;
- (3) That the seller guarantees in writing that the purchaser will derive income from the business opportunity which exceeds the price paid or rent charged for the business opportunity or that the seller will refund all or part of the price paid or rent charged for the business opportunity or will repurchase any of the products, equipment, supplies or chattels supplied by the seller, if the purchaser is not satisfied with the business opportunity; or
- (4) That the business opportunity is free from risk or certain to produce profits, which representation may arise from all of the assurances taken as a whole.
- 2. For purposes of subsection 1 of this section the term "assist the purchaser in finding locations", includes, but is not limited to, supplying the purchaser with names of locator companies, contracting with the purchaser to provide assistance or supply names or collecting a fee on behalf of or for a locator company.
 - 3. For purposes of sections 407,2000 to 407,2021, "business opportunity" does not include:
- (1) The sale of ongoing businesses when the owner of those businesses sells and intends to sell only those business opportunities so long as those business opportunities to be sold are no more than five in number; or
- (2) The not-for-profit sale of sales demonstration equipment, materials or samples for a price that does not exceed five hundred dollars or any sales training course offered by the seller, the cost of which does not exceed five hundred dollars.
- 4. For purposes of sections 407,2000 to 407,2021, "purchaser" shall include a lessee and "seller" shall include a lessor.
 - 407.2015. 1. A business opportunity seller shall not:

- (1) Misrepresent, by failure to disclose or otherwise, the known required total investment for such business opportunity;
- (2) Misrepresent or fail to disclose efforts to sell or establish more franchises or distributorships than it is reasonable to expect the market or market area for the particular business opportunity to sustain;
- (3) Misrepresent the quantity or the quality of the products to be sold or distributed through the business opportunity;
- (4) Misrepresent the training and management assistance available to the business opportunity purchaser;
- (5) Misrepresent the amount of profits, net or gross, which the franchisee can expect from the operation of the business opportunity;
- (6) Misrepresent, by failure to disclose or otherwise, the termination, transfer or renewal provision of a business opportunity agreement;
- (7) Falsely claim or imply that a primary marketer or trademark of products or services sponsors or participates directly or indirectly in the business opportunity;
- (8) Assign a so-called exclusive territory encompassing the same area to more than one business opportunity purchaser;
- (9) Provide machines or display of a brand or kind substantially different from and inferior to those promised by the business opportunity seller;
 - (10) Fail to provide the purchaser a written contract;
- (11) Misrepresent the seller's ability or the ability of a person or entity providing services as defined in subdivision (1) of subsection 1 of section 407.2000 to provide locations or assist the purchaser in finding locations expected to have a positive impact on the success of the business opportunity;
- (12) Misrepresent a material fact or create a false or misleading impression in the sale of a business opportunity.
 - 2. Any person who violates the provisions of this section is guilty of a class A misdemeanor.
- 407.2021. 1. If a business opportunity seller uses untrue or misleading statements in the sale of a business opportunity, fails to give the proper disclosures, or fails to deliver the equipment, supplies or products necessary to begin substantial operation of the business within forty-five days of the delivery date stated in the business opportunity contract, the purchaser may, within one year of the date of the execution of the contract and upon written notice to the seller, rescind the contract and the purchaser shall be entitled to receive from the business opportunity seller all sums paid to the business seller. Upon receipt of such sums, the purchaser shall make available to the seller at the purchaser's address, or at the places at which the purchaser is located at the time notice is given, all products, equipment or supplies received by the purchaser. The purchaser shall not be entitled to unjust enrichment by exercising the remedies provided in this subsection.
- 2. Any purchaser injured by a violation of sections 407.2000 to 407.2021 or by the business opportunity seller's breach of a contract subject to sections 407.2000 to 407.2021 or any obligation arising therefrom, may bring an action for recovery of damages, including reasonable attorney's fees.
- 3. Upon complaint of any person that a business opportunity seller has violated the provisions of sections 407.2000 to 407.2021, the circuit court shall have jurisdiction to enjoin the defendant from any further violations.
- 4. The remedies provided in this section shall be in addition to any other remedies provided by law or in equity."; and

Further amend said bill, Pages 138 to 139, Section 409.1000, by deleting all of said section; and

Further amend said bill, Pages 139 to 141, Section 409.1015, by deleting all of said section; and

Further amend said bill, Pages 141 to 142, Section 409.1018, by deleting all of said section; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Lograsso, **House Amendment No. 4** was adopted.

Representative Lakin offered **House Amendment No. 5**.

House Amendment No. 5

AMEND House Substitute for House Committee Substitute for Senate Bill No. 896, Page 7, Section 140.110, Line 6, by inserting the following at the end of said line:

"140.160.1. No proceedings for the sale of land and lots for delinquent taxes [under the provisions of] **pursuant** to this chapter, relating to the collection of delinquent and back taxes and providing for foreclosure sale and redemption of land and lots therefore, shall be valid unless initial proceedings therefore shall be commenced within three years after delinquency of such taxes, and any sale held pursuant to initial proceedings commenced within such period of three years shall be deemed to have been in compliance with the provisions of said law insofar as the time at which such sales are to be had is specified therein; provided further, that in suits or actions to collect delinquent drainage and/or levee assessments on real estate such suits or actions shall be commenced within three years after delinquency, otherwise no suit or action therefore shall be commenced, had or maintained, **except that the three-year limitation described in this subsection shall not be applicable if any written instrument conveys any real estate having a tax exempt status, if such instrument causes such real estate to again become taxable real property and if such instrument has not been recorded in the office of the recorder in the county in which the real estate has been situated. Such three-year limitation shall only be applicable once the recording of the title has occurred.**

2. In order to enable county and city collectors to be able to collect delinquent and back taxes, the county auditor in all counties having a county auditor shall annually audit and list all delinquent and back taxes and provide a copy of such audit and list to the county collector and to the governing body of the county. A copy of the audit and list may be provided to city collectors within the county at the discretion of the county collector.".

On motion of Representative Lakin, **House Amendment No. 5** was adopted.

Representative Auer offered House Amendment No. 6.

House Amendment No. 6

AMEND House Substitute for House Committee Substitute for Senate Bill No. 896, Page 120, Section 375.017, Line 21 of said page, by inserting after all of said line the following:

"5. Any bank or trust company in their sale or issuance of insurance products or services, as authorized pursuant to section 362.105, RSMo, shall be subject to the insurance laws of this state and rules adopted by the department of insurance."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Auer, **House Amendment No. 6** was adopted.

Representative Schilling offered House Amendment No. 7.

House Amendment No. 7

AMEND House Substitute for House Committee Substitute for Senate Bill No. 896, Page 74, Section 362.105, Line 4 of said page, by inserting after all of said line the following:

"6. A bank or trust company shall offer to its customers the opportunity to prohibit the transfer of the customer's personal information to any other business entity or to other nonbanking divisions of the bank or trust company, including securities or insurance. Any bank or trust company which transfers information in violation of a customer's prohibition shall be fined at least ten thousand dollars and not more than fifty thousand dollars per occurrence."; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative McLuckie offered **House Substitute Amendment No. 1 for House Amendment No. 7**.

House Substitute Amendment No. 1 for House Amendment No. 7

AMEND House Substitute for House Committee Substitute for Senate Bill No. 896, Page 74, Section 362.105, Line 4 of said page, by inserting after all of said line the following:

"6. A bank or trust company shall offer to its customers the opportunity to prohibit the transfer of the customer's personal information to any other business entity or to other nonbanking divisions of the bank or trust company, including securities or insurance. The bank's or trust company's nonbanking divisions shall offer to its customers the opportunity to prohibit the transfer of the customer's personal information to any other business entity or to other nonbanking divisions of the bank or trust company, including securities or insurance. Any bank or trust company or nonbanking division thereof which transfers information in violation of a customer's prohibition shall be fined at least ten thousand dollars and not more than fifty thousand dollars per occurrence. The Division of Finance shall adopt rules necessary to implement the provisions of this section. No rule or portion of a rule promulgated pursuant to the authority of this section shall become effective unless it has been promulgated pursuant to the provisions of Chapter 536, RSMo,"; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative McLuckie moved that **House Substitute Amendment No. 1 for House Amendment No. 7** be adopted.

Bray 84

Brooks

Which motion was defeated by the following vote:

Berkowitz

AYE	7 .	0.44

Backer

Dacker	Derkowitz	DOYKIIIS	D1ay 64	DIOOKS
Campbell	Curls	Davis 63	Days	Dougherty
Farnen	Ford	Franklin	Fraser	Froelker
George	Graham 24	Gratz	Green	Gunn
Hagan-Harrell	Harlan	Hickey	Hilgemann	Hollingsworth
Hosmer	Kelly 27	Levin	McLuckie	Murphy
Murray	Reynolds	Riley	Schilling	Selby
Skaggs	Smith	Thompson	Troupe	Van Zandt
Wiggins	Williams 121	Wilson 25	Wilson 42	
NOES: 103				
Abel	Akin	Alter	Auer	Ballard
Barnett	Barry 100	Bartelsmeyer	Bartle	Bennett
Berkstresser	Black	Blunt	Boatright	Bonner
Boucher 48	Britt	Burton	Champion	Chrismer
Cierpiot	Crawford	Crump	Davis 122	Dolan
Enz	Fitzwater	Foley	Foster	Gambaro
Gibbons	Graham 106	Griesheimer	Gross	Hampton
Hanaway	Hartzler 123	Hegeman	Hendrickson	Hohulin
Hoppe	Howerton	Kasten	Kelley 47	Kennedy
King	Kissell	Klindt	Koller	Kreider
Lakin	Leake	Legan	Liese	Lograsso
Loudon	Luetkemeyer	Marble	May 108	Mays 50
McClelland	McKenna	Merideth	Miller	Monaco
Myers	Nordwald	O'Connor	O'Toole	Overschmidt

Boykins

Parker Patek Phillips Pouche 30 Pryor Reinhart Richardson Ransdall Relford Purgason Robirds Ridgeway Rizzo Ross Sallee Seigfreid Scheve Schwab Scott Secrest Shelton Shields Summers Surface Townley Treadway Tudor Vogel Wagner Ward Williams 159 Wright Mr. Speaker

PRESENT: 001

Reid

ABSENT WITH LEAVE: 014

Clayton Elliott Evans Gaskill Hartzler 124
Holand Lawson Linton Long Luetkenhaus
McBride Naeger Ostmann Stokan

VACANCIES: 001

HCS SB 896, with House Amendment No. 7 and HS, as amended, pending, was laid over.

HOUSE BILLS WITH SENATE AMENDMENTS

SS SCS HB 1452, relating to taxation, was taken up by Representative Foley.

On motion of Representative Foley, SS SCS HB 1452 was adopted by the following vote:

AYES: 146

Abel Akin Alter Backer Ballard Barry 100 Bartelsmeyer Bartle Bennett Barnett Berkowitz Berkstresser Black Blunt Boatright Boucher 48 **Boykins** Bonner Bray 84 Britt Burton Campbell Champion Chrismer Cierpiot Clayton Crawford Crump Curls Davis 122 Dolan Dougherty Enz Farnen Days Franklin Fitzwater Foley Ford Foster Froelker Gambaro Fraser George Gibbons Graham 106 Graham 24 Gratz Green Griesheimer Hagan-Harrell Gross Gunn Hampton Hanaway Hartzler 123 Hegeman Hendrickson Hickey Harlan Hilgemann Hohulin Hollingsworth Hosmer Hoppe Kelly 27 Howerton Kasten Kelley 47 Kennedy Klindt Koller King Kissell Kreider Lakin Lawson Leake Legan Levin Lograsso Luetkemeyer Marble Liese Loudon May 108 Mays 50 McClelland McKenna McLuckie Merideth Miller Monaco Murray Myers Nordwald O'Connor O'Toole Overschmidt Parker Pouche 30 Patek Phillips Pryor Purgason Ransdall Reinhart Reynolds Reid Relford Richardson Ridgeway Riley Rizzo Robirds Schilling Ross Sallee Scheve Schwab Seigfreid Shelton Scott Secrest Selby Shields Skaggs Smith Summers Surface Thompson Townley Treadway Troupe Tudor Van Zandt Vogel Wagner Ward Wiggins Williams 121 Williams 159 Wilson 25 Wilson 42 Wright Mr. Speaker

NOES: 000

PRESENT: 001

Brooks

ABSENT WITH LEAVE: 015

AuerDavis 63ElliottEvansGaskillHartzler 124HolandLintonLongLuetkenhausMcBrideMurphyNaegerOstmannStokan

VACANCIES: 001

On motion of Representative Foley, **SS SCS HB 1452** was truly agreed to and finally passed by the following vote:

AYES: 144

Ballard Abel Akin Alter Backer Barry 100 Barnett Bartelsmeyer Bartle Bennett Berkowitz Berkstresser Blunt Boatright Black Bonner Boucher 48 **Boykins** Bray 84 Britt Campbell Champion Chrismer Cierpiot Burton Crawford Davis 122 Clayton Crump Curls Days Dolan Dougherty Enz Farnen Fitzwater Foley Ford Foster Franklin Fraser Froelker Gambaro George Gibbons Graham 106 Graham 24 Griesheimer Gratz Green Gross Gunn Hagan-Harrell Hampton Hanaway Hegeman Hendrickson Hartzler 123 Harlan Hickey Hilgemann Hohulin Hollingsworth Hoppe Kelly 27 Hosmer Howerton Kasten Kelley 47 Kennedy Klindt Koller King Kissell Kreider Lakin Lawson Leake Legan Levin Marble Lograsso Loudon Luetkemeyer Liese May 108 Mays 50 McClelland McKenna McLuckie Merideth Miller Monaco Murray Myers Nordwald O'Connor Overschmidt O'Toole Parker Patek Phillips Pouche 30 Pryor Purgason Ransdall Reid Reinhart Relford Reynolds Robirds Richardson Ridgeway Riley Rizzo Ross Sallee Scheve Schwab Scott Seigfreid Selby Shelton Skaggs Secrest Smith Summers Surface Thompson Townley Van Zandt Treadway Troupe Tudor Vogel Wagner Ward Wiggins Williams 121 Williams 159 Wilson 25 Wilson 42 Mr. Speaker Wright

NOES: 000

PRESENT: 001

Brooks

ABSENT WITH LEAVE: 017

Elliott Gaskill Auer Davis 63 Evans Hartzler 124 Holand Linton Long Luetkenhaus McBride Murphy Naeger Ostmann Schilling Shields Stokan

VACANCIES: 001

Speaker Pro Tem Kreider declared the bill passed.

On motion of Representative Hollingsworth, title to the bill was agreed to.

Representative Van Zandt moved that the vote by which the bill passed be reconsidered.

Representative Smith moved that motion lay on the table.

The latter motion prevailed.

SCS HB 1948, relating to special mobile equipment, was taken up by Representative Gratz.

Representative Gratz moved that the House refuse to adopt SCS HB 1948 and request the Senate to recede from its position or, failing to do so, grant the House a conference.

Which motion was adopted.

Speaker Gaw resumed the Chair.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HS HCS SB 788**, as amended, and requests that the House recede from its position or, failing to do so, grant the Senate a conference thereon.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HS HCS SB 856**, as amended, and requests that the House recede from its position or, failing to do so, grant the Senate a conference thereon.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Conference Committee Report on SCS HS HCS HB 1742, as amended, is being returned for the purpose of adopting the emergency clause on the Conference Committee Substitute.

MOTION

CCS SCS HS HCS HB 1742, relating to transportation bonds, was taken up by Representative Koller.

On motion of Representative Koller, the emergency clause on **CCS SCS HS HCS HB 1742** was adopted by the following vote:

AYES: 1	32
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Abel	Akin	Alter	Backer	Ballard
Barnett	Barry 100	Bartelsmeyer	Bartle	Bennett
Berkowitz	Berkstresser	Black	Blunt	Boatright
Bonner	Boucher 48	Britt	Burton	Champion
Chrismer	Cierpiot	Clayton	Crawford	Crump
Curls	Davis 122	Dolan	Dougherty	Enz
Farnen	Fitzwater	Foley	Ford	Foster
Franklin	Froelker	George	Gibbons	Graham 106

Gunn Hagan-Harrell Hampton Hanaway Harlan Hartzler 123 Hegeman Hendrickson Hickey Hollingsworth Hoppe Hosmer Howerton Kasten Kelley 47 Kelly 27 King Kissell Klindt Koller Kreider Lakin Leake Legan Levin Liese Lograsso Loudon Luetkemeyer Marble May 108 Mays 50 McClelland McKenna McLuckie Merideth Miller Monaco Murray Myers Nordwald O'Connor Overschmidt Patek Phillips Pouche 30 Pryor Purgason Ransdall Reid Reinhart Relford Reynolds Richardson Ridgeway Riley Rizzo Robirds Ross Sallee Scheve Schilling Schwab Scott Secrest Seigfreid Selby Shelton Shields Skaggs Smith Summers Surface Thompson Townley Treadway Troupe Tudor Vogel Wagner Ward Williams 121 Williams 159 Wilson 25 Contact of the second Science Noes: 010
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Wright Mr. Speaker NOES: 010
NOES: 010
Boykins Bray 84 Days Fraser Gambaro
Gaskill Hohulin Kennedy Murphy O'Toole
PRESENT: 001
Brooks
ABSENT WITH LEAVE: 019
Auer Campbell Davis 63 Elliott Evans
Hartzler 124 Hilgemann Holand Lawson Linton
Long Luetkenhaus McBride Naeger Ostmann

Van Zandt

VACANCIES: 001

Stokan

Parker

APPOINTMENT OF CONFERENCE COMMITTEE

Wiggins

The Speaker appointed the following Conference Committee to act with a like committee from the Senate on the following bill:

HCS SB 944: Representatives Smith, Davis (122), Hollingsworth, McClelland and Patek

ADJOURNMENT

On motion of Representative Crump, the House adjourned until 9:30 a.m., Monday, May 8, 2000.

CORRECTIONS TO THE HOUSE JOURNAL

Correct House Journal, Sixty-sixth Day, Friday, May 5, 2000, pages 1355 and 1356, roll call, by showing Representative Crump voting "aye" rather than "absent with leave".

Pages 1356 and 1357, roll call, by showing Representative McKenna voting "aye" rather than "absent with leave".

Pages 1357 and 1358, roll call, by showing Representatives Crawford, Crump, Klindt and Summers voting "aye" rather than "absent with leave".

Pages 1358 and 1359, roll call, by showing Representatives Boatright and Klindt voting "aye" rather than "absent with leave".

Pages 1359 and 1360, roll call, by showing Representatives Burton and Reinhart voting "aye" rather than "absent with leave".

Pages 1361 and 1362, roll call, by showing Representatives Levin and Phillips voting "aye" rather than "absent with leave".

Page 1363, roll call, by showing Representative Robirds voting "aye" rather than "absent with leave".

Pages 1363 and 1364, roll call, by showing Representative Klindt voting "aye" rather than "absent with leave".

Page 1365, roll call, by showing Representative Klindt voting "aye" rather than "absent with leave".

Pages 1366 and 1367, roll call, by showing Representative Klindt voting "aye" rather than "absent with leave".

Page 1367, roll call, by showing Representatives George and Klindt voting "aye" rather than "absent with leave".

Pages 1367 and 1368, roll call, by showing Representatives Davis (63) and Klindt voting "aye" rather than "absent with leave".

Page 1369, roll call, by showing Representatives Klindt and Smith voting "aye" rather than "absent with leave".

Pages 1369 and 1370, roll call, by showing Representatives Fitzwater and Klindt voting "aye" rather than "absent with leave".

Pages 1371 and 1372, roll call, by showing Representative Crawford voting "aye" rather than "absent with leave".

Pages 1374 and 1375, roll call, by showing Representative Klindt voting "aye" rather than "absent with leave".

Pages 1375 and 1376, roll call, by showing Representative Klindt voting "aye" rather than "absent with leave".

Page 1376, roll call, by showing Representative Klindt voting "aye" rather than "absent with leave".

Pages 1377 and 1378, roll call, by showing Representative Surface voting "aye" rather than "absent with leave".

Page 1379, roll call, by showing Representatives Burton and Pouche voting "aye" rather than "absent with leave".

Page 1379, roll call, by showing Representatives Davis (63), Surface and Wright voting "no" rather than "absent with leave".

Page 1380, roll call, by showing Representatives Abel, Burton, Crawford, Long, Pouche and Surface voting "aye" rather than "absent with leave".

COMMITTEE MEETINGS

ETHICS

Monday, May 8, 2000. Side gallery upon noon adjournment.

Additions to Caucuses: TRUTH, House Democrats, Women Legislators, Moderate Agenda

FISCAL REVIEW

Monday, May 8, 2000, 8:30 am. Hearing Room 1.

Executive Session. (Fiscal Note).

To be considered - SB 757, SB 763, SB 842, SB 892

JOINT COMMITTEE ON CORRECTIONS

Monday, May 8, 2000, 8:00 am. Hearing Room 5.

RFP's: Proposed Scope of Services (Mental Health and Medical)

HOUSE CALENDAR

SIXTY-EIGHTH DAY, MONDAY, MAY 8, 2000

HOUSE JOINT RESOLUTIONS FOR PERFECTION

- 1 HJR 40, as amended, HA 3, pending Graham (24)
- 2 HJR 45, HCA 1 Scheve
- 3 HJR 51 Clayton

HOUSE BILLS FOR PERFECTION

- 1 HCS HB 1747 Barry
- 2 HB 2102 Hampton
- 3 HB 1066, HCA 1 Riback Wilson (25)
- 4 HB 1280 Clayton
- 5 HB 1502 Smith

- 6 HCS HB 1547 Scheve
- 7 HCS HB 1962, 1943, 1425 & 1419 Dougherty
- 8 HB 1546 Smith
- 9 HCS HB 1606 Bray
- 10 HCS HB 1225 Hosmer
- 11 HCS HB 1540 Green
- 12 HCS HB 1942 Liese
- 13 HCS HB 1578 Shelton
- 14 HB 2056 Gunn
- 15 HCS HB 1718 Smith
- 16 HCS HB 1966 Hosmer
- 17 HCS HB 1997 Smith
- 18 HCS HB 1336 Lakin
- 19 HCS HB 1780 Liese
- 20 HCS HB 1816 Hosmer
- 21 HCS HB 1357 Bonner
- 22 HB 1872 Seigfreid
- 23 HCS HB 1674 Graham (24)
- 24 HCS HB 1154 Boucher
- 25 HCS HB 2114 Hoppe
- 26 HCS HB 1649 Williams (121)
- 27 HB 1216 Kelly (27)
- 28 HB 1157, HCA 1 Boucher

HOUSE BILLS FOR PERFECTION - INFORMAL

- 1 HCS HB 1602, as amended Leake
- 2 HB 1712 McKenna
- 3 HS HB 1394, as amended Murray

HOUSE CONCURRENT RESOLUTIONS FOR ADOPTION AND THIRD READING

- 1 HCR 23, (3-16-00, pg. 646) Bray
- 2 HCR 28, (4-11-00, pg. 916) Van Zandt
- 3 HCR 34, (5-1-00, pg. 1159) Clayton
- 4 HCR 31, (5-1-00, pg. 1158) Hollingsworth

HOUSE BILLS FOR THIRD READING - CONSENT

- 1 HB 1828 Gross
- 2 HB 1095 Richardson
- 3 HB 1358 Loudon
- 4 HB 1275 Chrismer

SENATE CONCURRENT RESOLUTIONS FOR ADOPTION AND THIRD READING

- 1 SCR 38, (4-26-00, pg. 1098) Kreider
- 2 SCR 29, (4-18-00, pg. 989) Bray

SENATE BILLS FOR THIRD READING

- 1 HCS SB 896, E.C., HA 7, HS, as amended, pending May (108)
- 2 HCS SB 724 Farnen
- 3 SB 961, E.C. Ransdall
- 4 HCS SB 858 Smith
- 5 SCS SB 779 Wiggins
- 6 SB 1053 Days
- 7 HCS SS SCS SB 577 Ransdall
- 8 HCS SB 741 Backer
- 9 HCS SB 936, E.C. Bray
- 10 HCS SS SCS SB 763, (Fiscal Review, 5-3-00) Kissell
- 11 HCS SB 922 Hagan-Harrell
- 12 HCS SS SCS SB 678 & 742, (Fiscal Review, 5-2-00) May (108)
- 13 HCS SS SB 902 Treadway
- 14 SCS SB 557 Smith
- 15 SS SCS SB 867 & 552, (Fiscal Review, 5-2-00) Scheve
- 16 HCS SS#2 SCS SB 934, 546, 578, 579 & 782 Hosmer
- 17 HCS SS#2 SCS SB 757 & 602, (Fiscal Review, 5-4-00) Scheve
- 18 SCS SB 540 Wiggins
- 19 HCS SS SCS SB 925, E.C. Williams (159)
- 20 HCS SB 996 Hosmer
- 21 HCS SCS SB 842, E.C., (Fiscal Review, 5-4-00) Hoppe
- 22 HCS SB 921 Treadway
- 23 SB 892, (Fiscal Review, 5-4-00) Crump
- 24 HCS SCS SB 683, (Fiscal Review, 5-5-00) Koller
- 25 HCS SS SCS SB 885, (Fiscal Review, 5-5-00) Smith
- 26 HCS SB 573, E.C., (Fiscal Review, 5-5-00) Kissell
- 27 HCS SB 974, (Fiscal Review, 5-5-00) Lakin
- 28 HCS SCS SB 806 & SB 537, E.C., (Fiscal Review, 5-5-00) Britt
- 29 HCS SB 851 Kreider
- 30 HCS SCS SB 597, (Fiscal Review, 5-5-00) Dougherty
- 31 HCS SB 722 Smith
- 32 SB 910 Abel

SENATE BILLS FOR THIRD READING - INFORMAL

- 1 HCS SCS SB 894 Hoppe
- 2 HCS SCS SB 542 Hoppe

HOUSE BILL WITH SENATE AMENDMENTS

HCS HB 1967, SA 1 to SCA 1, SCA 1, as amended, & SA 1, E.C. - Hoppe

BILLS CARRYING REQUEST MESSAGES

- 1 HS HCS SB 856, as amended, (req. House recede/grant conf.) Harlan
- 2 HS HCS SB 788, as amended, (req. House recede/grant conf.) Barry
- 3 SCS HB 1948, (req. Senate recede/grant conf.) Gratz

BILLS IN CONFERENCE

- 1 SCS HB 1591 Backer
- 2 HS HCS SS SB 549, as amended Van Zandt
- 3 HCS SS SB 813, as amended Kissell
- 4 HS HCS SB 881, as amended Hoppe
- 5 SCS HB 1848 Treadway
- 6 SS SCS HB 1808, as amended, E.C. O'Toole
- 7 HCS SB 944, as amended Smith

HOUSE RESOLUTIONS

- 1 HR 557, (5-1-00, pg. 1160) Gratz
- 2 HR 504, (5-1-00, pg. 1159) Gratz